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## Greenhouse Gases Reporting Program Implementation

### Rule Overview

- On October 30, 2009, the U.S. Environmental Protection Agency (EPA) published a rule for the mandatory reporting of greenhouse gases (GHG) from sources that in general emit 25,000 metric tons or more of carbon dioxide equivalent per year in the United States. Smaller sources and certain sectors such as the agricultural sector and land use changes are not included in the Greenhouse Gas Reporting Program. Implementation of 40 CFR Part 98 is referred to as the Greenhouse Gas Reporting Program (GHGRP).
- This collection of comprehensive, nationwide emissions data is intended to provide a better understanding of the sources of GHGs and to guide development of policies and programs to reduce emissions.
- 40 CFR part 98 applies to direct greenhouse gas emitters, fossil fuel suppliers, industrial gas suppliers, and facilities that inject CO<sub>2</sub> underground for sequestration or other reasons.. Reporting is at the facility level except for certain suppliers of fossil fuels and industrial greenhouse gases. Because suppliers are facilities or entities that supply certain products (e.g., fossil fuels or certain industrial gases) into the economy that, when combusted, released, or oxidized, result in GHG emissions, the emissions do not take place at the suppliers' reporting location but instead are distributed throughout the country and used. The emissions reporting requirements for direct emitting facilities are specified in 98.3(c)(4) and the GHG reporting requirements for suppliers are specified in 98.3(c)(5).
- An estimated 85-90 percent of the total U.S. GHG emissions from over 8,000 facilities are covered by the Greenhouse Gas Reporting Program.
- Most small businesses fall below the 25,000 metric ton threshold and are not required to report GHG emissions to EPA.
- 40 CFR part 98 requires reporting by 41 industrial categories. For calendar year 2010, facilities in 29 categories reported. For calendar year 2011, an additional 12 categories reported data.
- Reports are submitted annually and provide data collected during the previous calendar year (i.e., reporting year). Reports are due on March 31 for emissions in the previous calendar year.
- The annual reports are submitted to EPA electronically using an electronic greenhouse gas reporting tool (e-GGRT), which is accessed through the EPA web page noted below.
- EPA verifies the data submitted and does not require third party verification. Prior to EPA verification, reporters are required to self-certify the data they submit to EPA.
- A number of rulemakings for Part 98 have been promulgated. These rulemakings include changes for technical corrections, confidentiality determinations, collection of additional information such as Parent Company and NAICS code, use of Best Available Monitoring Methods (BAMM), and other details. For a complete list and description of these actions see <http://www.epa.gov/ghgreporting/reporters/notices/index.html>.

## Implementation of the GHG Reporting Program

To assist reporters in complying with this regulation, EPA developed a suite of information and training resources including:

- An on-line applicability tool that assists potential reporters to assess if they are required to report. See: <http://www.epa.gov/ghgreporting/help/tool/index.html>
- A series of webinars, training slides, and other training opportunities on the reporting requirements of the rule, including the electronic GHG reporting tool (e-GGRT). See: <http://www.epa.gov/ghgreporting/reporters/training/index.html>
- A help desk to answer technical questions on rule implementation and e-GGRT. See: <http://www.epa.gov/ghgreporting/help/index.html>
- Detailed technical and implementation information on each subpart of the rule. See <http://www.epa.gov/ghgreporting/reporters/subpart/index.html>
- A searchable database of frequently asked questions. See: <http://www.ccdsupport.com/confluence/display/faq/FAQs>
- A copy of the current rules. See: [http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/40cfr98\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title40/40cfr98_main_02.tpl)

## Data Collection

- The Electronic Greenhouse Gas Reporting Tool (e-GGRT) is the on-line tool used to report GHG data directly to EPA. e-GGRT is web-based and structured to be interactive and user-friendly.

## Data Verification

- The GHGRP provides electronic verification of annual reports. Prior to submission, there are multiple checks built into e-GGRT that provide data validation for reporters. After submission, EPA electronically verifies the data through the use of statistical, algorithm, range, and other verification checks. When needed, EPA conducts direct follow-up with facilities concerning potential data quality issues.
- Any violation of the requirements of 40 CFR Part 98 ("Greenhouse Gas Reporting Program") is a violation of the Clean Air Act, including section 114 (42 U.S.C. 7414).

## Confidential Business Information

- Data collected under the GHGRP must be available to the public unless the data qualify for confidential treatment under the Clean Air Act. EPA typically makes confidentiality determinations under the Clean Air Act on a case-by-case basis. Due to the large numbers of entities reporting under the GHGRP and the large number of data reporting elements, EPA concluded that case-by-case determinations would not result in a timely release of non-confidential data. EPA is determining through a series of rulemaking actions the confidentiality status of part 98 data elements, including those added through subsequent amendments to part 98. Any data submitted under the Reporting Program that EPA has determined to be confidential business information (CBI) will be protected under the provisions of 40 CFR part 2, Subpart B.

## Data Publication

- EPA publishes the publicly available data from the GHGRP. The publication tool called FLIGHT (Facility Level Information on GreenHouse gas Tool) was developed anticipating use by the public. It features an easy to use/easy to understand format. Examples of simple searches include searches by state, by facility, by gas, by industry grouping, by range of emissions. See: <http://ghgdata.epa.gov>
- In addition, EPA's ENVIROFACTS ([www.epa.gov/enviro](http://www.epa.gov/enviro)) data base includes GHG data which will allow users to conduct more analysis and to search for and download specific data elements of interest and to cross-reference GHG data with data collected from facilities regulated by other EPA programs.
- Summaries of recent GHG data can be found at:  
<http://www.epa.gov/ghgreporting/ghgdata/reported/index.html>

This information is provided solely for informational purposes. It does not provide legal advice, have legally binding effect, or expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits in regard to any person. The series of information sheets is intended to assist reporting facilities/owners in understanding key provisions of 40 CFR Part 98.